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UNITED STATES OF AMERICA.

SPEECH

OF

MR. WEBSTER, OF MASS.

IN THE

HOUSE OF REPRESENTATIVES,

ON

THE PANAMA MISSION.

DELIVERED ON THE 14TH APRIL, 1826.

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The following Resolution being under consideration, in Committee of the Whole House upon the state of the Union, viz:

"*Resolved*, That in the opinion of the House it is expedient to appropriate the funds necessary to enable the President of the United States to send Ministers to the Congress of Panama,"

Mr. McLANE, of Delaware, submitted the following amendment thereto, viz:

"It being understood as the opinion of this House, that, as it has always been the settled policy of this Government, in extending our commercial relations with foreign nations, to have with them as little political connection as possible, to preserve peace, commerce, and friendship, with all nations, and to form entangling alliances with none; the Ministers who may be sent shall attend at the said Congress in a diplomatic character merely; and ought not be authorized to discuss, consider, or consult, upon any proposition of alliance, offensive or defensive, between this country and any of the Spanish American Governments, or any stipulation, compact, or declaration, binding the United States in any way, or to any extent, to resist interference from abroad, with the domestic concerns of the aforesaid Governments; or any measure which shall commit the present or future neutral rights or duties of these United States, either as may regard European nations, or between the several States of Mexico and South America: leaving the United States free to adopt, in any event which may happen, affecting the relations of the South American Governments, with each other, or with foreign nations such measures as the friendly disposition cherished by the American People towards the People of those States, and the honour and interest of this nation may require;"

To which M. RIVES proposed to add, after the words "aforesaid governments," in the 12th line, the following:

"Or any compact or engagement by which the United States shall be *pledged* to the Spanish American States, to maintain, by force, the principle that no part of the American continent is henceforward subject to colonization by any European power."—

11-24507

SPEECH.

The preceding motions to amend being under consideration,

Mr. WEBSTER, of Massachusetts, addressed the Committee as follows:

Mr. CHAIRMAN: I am not ambitious of amplifying this discussion. On the contrary, it is my anxious wish to confine the debate, so far as I partake in it, to the real and material questions before us.

Our judgment of things is liable, doubtless, to be affected by our opinions of men. It would be affectation in me, or in any one, to claim an exemption from this possibility of bias. I can say, however, that it has been my sincere purpose to consider and discuss the present subject, with the single view of finding out what duty it devolves upon me, as a member of the House of Representatives. If any thing has diverted me from that sole aim, it has been against my intention.

I think, sir, that there are two questions, and two only, for our decision. The first is, whether the House of Representatives will assume the responsibility of withholding the ordinary appropriation, for carrying into effect an Executive measure, which the Executive Department has constitutionally instituted? The second, whether,

if it will not withhold the appropriation, it will yet take the responsibility of interposing, with its own opinions, directions or instructions, as to the manner in which this particular Executive measure shall be conducted?

I am, certainly, in the negative, on both these propositions. I am neither willing to refuse the appropriation, nor am I willing to limit or restrain the discretion of the Executive, beforehand, as to the manner in which it shall perform its own appropriate constitutional duties. And, sir, those of us who hold these opinions have the advantage of being on the common highway of our national politics. We propose nothing new; we suggest no change; we adhere to the uniform practice of the government, as I understand it, from its origin. It is for those, on the other hand, who are in favour of either, or both, of the propositions, to show us the cogent reasons which recommend their adoption. The duty is on them, to satisfy the House and the country that there is something in the present occasion which calls for such an extraordinary and unprecedented interference.

The President and Senate have instituted a public mission, for the purpose of treating with foreign States. The Constitution gives to the President the power of appointing, with the consent of the Senate, Embassadors, and other public ministers. Such appointment is, therefore, a clear and unquestionable exercise of Executive power. It is, indeed, less connected with the appropriate duties of this House, than almost any other Executive act; because the office of a public minister is not

created by any statute or law of our own Government. It exists under the law of nations, and is recognised as existing by our Constitution. The acts of Congress, indeed, limit the salaries of public ministers; but they do no more. Every thing else, in regard to the appointment of public ministers, their numbers, the time of their appointment, and the negotiations contemplated in such appointments, is matter for Executive discretion. Every new appointment to supply vacancies in existing missions, is under the same authority. There are, indeed, what we commonly term standing missions, so known in the practice of the government, but they are not made so by any law. All missions rest on the same ground. Now the question is, whether the President and Senate, having created this mission, or, in other words, having appointed the ministers, in the exercise of their undoubted constitutional power, this House will take upon itself the responsibility of defeating its objects, and rendering this exercise of Executive power void?

By voting the salaries, in the ordinary way, we assume, as it seems to me, no responsibility whatever. We merely empower another branch of the government to discharge its own appropriate duties, in that mode which seems to itself most conducive to the public interests. We are, by so voting, no more responsible for the manner in which the negotiation shall he conducted, than we are for the manner in which one of the Heads of Department may discharge the duties of his office.

On the other hand, if we withhold the ordinary means, we do incur a heavy responsibility. We

interfere, as it seems to me, to prevent the action of the Government, according to constitutional forms and provisions. It ought constantly to be remembered that our whole power, in the case, is merely incidental. It is only because public ministers must have salaries, like other officers, and because no salaries can be paid, but by our vote, that the subject is referred to us at all. The Constitution vests the power of appointment in the President and Senate; the law gives to the President even the power of fixing the amount of salary, within certain limits; and the only question, here, is upon the appropriation. There is no doubt that we have the power, if we see fit to exercise it, to break up the mission, by withholding the salaries; we have power also to break up the Court, by withholding the salaries of the Judges, or to break up the office of President, by withholding the salary provided for it by law. All these things, it is true, we have the power to do, since we hold the keys of the Treasury. But, then, can we rightfully exercise this power? The gentleman from Pennsylvania, (Mr. BUCHANAN,) with whom I have great pleasure in concurring on this part of the case, while I regret that I differ with him on others, has placed this question in a point of view which cannot be improved. These officers do, indeed, already exist. They are public ministers. If they were to negotiate a treaty, and the Senate should ratify it, it would become a law of the land, whether we voted their salaries or not. This shows that the Constitution never contemplated that the House of Representatives should act a part in originating negotiations, or concluding treaties.

I know, sir, it is a useless labour to discuss the kind of power which this House incidentally holds in these cases. Men will differ in that particular; and as the forms of public business and of the Constitution are such, that the power may be exercised by this House, there will always be some, or always may be some, who feel inclined to exercise it. For myself, I feel bound not to step out of my own sphere, and neither to exercise nor control any authority, of which the Constitution has intended to lodge the free and unrestrained exercise in other hands. Cases of extreme necessity, in which a regard to public safety is to be the supreme law, or rather to take place of all law, must be allowed to provide for themselves, when they arise. Reasoning from such possible cases, will shed no light on the general path of our constitutional duty.

Mr. Chairman: I have a habitual and very sincere respect for the opinions of the gentleman from Delaware. And I can say with truth, that he is the last man in the House from whom I should have looked for this proposition of amendment, or from whom I should have expected to hear some of the reasons which he has given in its support. He says, that, in this matter, the source from which the measure springs should have no influence with us whatever. I do not comprehend this; and I cannot but think the honourable gentleman has been surprised into an expression which does not convey his meaning. This measure comes from the Executive, and it is an appropriate exercise of Executive Power. How is it, then, that we are

to consider it as entirely an open question for us; as if it were a legislative measure originating with ourselves? In deciding whether we will enable the Executive to exercise his own duties, are we to consider whether we should have exercised them in the same way ourselves? And if we differ in opinion with the President and Senate, are we on that account to refuse the ordinary means? I think not; unless we mean to say that we will exercise ourselves, all the powers of the Government.

But the gentleman argues, that although, generally, such a course would not be proper, yet, in the present case, the President has especially referred the matter to our opinion; that he has thrown off, or attempted to throw off, his own constitutional responsibility; or, at least, that he proposes to divide it with us; that he requests our advice, and that we, having referred that request to the Committee on Foreign Affairs, have now received from that Committee their Report thereon.

Sir, this appears to me a very mistaken view of the subject; but if it were all so—if our advice and opinion had thus been asked, it would not alter the line of our duty. We cannot take, though it were offered, any share in Executive duty. We cannot divide their own proper responsibility with other branches of the Government. The President cannot properly ask, and we cannot properly give, our advice, as to the manner in which he shall discharge his duties. He cannot shift the responsibility from himself; and we cannot assume it. Such a course, sir, would confound all that is

distinct in the constitutional assignment of our respective functions. It would break down all known divisions of power, and put an end to all just responsibility. If the President were to receive directions or advice from us, in things pertaining to the duties of his own office, what becomes of his responsibility to us, and to ths Senate? We hold the impeaching power. We are to bring him to trial in any case of mal-administration. The Senate are to judge him by the Constitution and laws; and it would be singular, indeed, if, when such occasion should arise, the party accused should have the means of sheltering himself under the advice or opinions of his accusers. Nothing can be more incorrect, or more dangerous, than this pledging the House beforehand, to any opinion, as to the manner of discharging Executive duties.

But, sir, I see no evidence whatever, that the President has asked us to take this measure upon ourselves, or to divide the responsibility of it with him. I see no such invitation or request. The Senate having concurred in the mission, the President has sent a message, requesting the appropriation, in the usual and common form. Another message is sent, in answer to a call of the House, communicating the correspondence, and setting forth the objects of the mission. It is contended, that by this message he asks our advice, or refers the subject to our opinion. I do not so understand it. Our concurrence, he says, by making the appropriation, is subject to our free determination. Doubtless it is so. If we determine at all, we shall determine freely; and the message does no

more than leave to ourselves to decide how far we feel ourselves bound, either to support or to thwart the Executive Department, in the exercise of its duties. There is no message, no document, no communication to us, which asks for our concurrence, otherwise than as we shall manifest it by making the appropriation.

Undoubtedly, sir, the President would be glad to know that the measure met the approbation of the House. He must be aware, unquestionably, that all leading measures mainly depend for success on the support of Congress. Still, there is no evidence that on this occasion he has sought to throw off responsibility from himself, or that he desires of us to be answerable for any thing beyond the discharge of our own constitutional duties. I have already said, sir, that I know of no precedent for such a proceeding as the amendment proposed by the gentleman from Delaware. None which I think analogous has been cited. The resolution of the House, some years ago, on the subject of the slave-trade, is a precedent the other way. A committee had reported that, in order to put an end to the slave-trade, a mutual right of search might be admitted and arranged by negotiation. But this opinion was not incorporated, as the gentleman now proposes to incorporate his amendment, into the resolution of the House. The resolution only declared, in general terms, that the President be requested to enter upon such negotiations with other powers as he might deem expedient, for the effectual abolition of the African slave-trade. It is singular enough,

and may serve as an admonition on the present occasion, that a negotiation having been concluded, in conformity to the opinions expressed, not, indeed, by the House, but by the committee, the treaty, when laid before the Senate, was rejected by that body.

The gentleman from Delaware himself says, that the Constitutional responsibility pertains alone to the Executive Department: and that none other has to do with it, as a public measure. These admissions seem to me to conclude the question; because, in the first place, if the Constitutional responsibility appertains alone to the President, he cannot devolve it on us, if he would; and because, in the second place, I see no proof of any intention, on his part, so to devolve it on us, even if he had the power.

Mr. Chairman: I will here take occasion, in order to prevent misapprehension, to observe, that no one is more convinced than I am, that it is the right of this House, and often its duty, to express its general opinion in regard to questions of foreign policy. Nothing, certainly, is more proper. I have concurred in such proceedings, and am ready to do so again. On those great subjects, for instance, which form the leading topics in this discussion, it is not only the right of the House to express its opinions, but I think it its duty to do so, if it should think the Executive to be pursuing a general course of policy which the House itself will not ultimately approve. But that is something entirely different from the present suggestion. Here it is proposed to decide, by our vote, what shall be discus-

sed by particular ministers, already appointed, when they shall meet the ministers of the other powers. This is not a general expression of opinion. It is a particular direction, or a special instruction. Its operation is limited to the conduct of particular men, on a particular occasion. Such a thing, sir, is wholly unprecedented in our history. When the House proceeds, in the accustomed way, by general resolution, its sentiments apply, as far as expressed, to all public agents, and on all occasions. They apply to the whole course of policy, and must, necessarily, be felt every where. But if we proceed by way of direction to particular ministers, we must direct them all. In short, we must ourselves furnish, in all cases, diplomatic instructions.

We now propose to prescribe what our ministers shall discuss, and what they shall not discuss, at Panama. But there is no subject coming up for discussion at Panama, which might not also be proposed for discussion either here or at Mexico, or in the Capital of Colombia. If we direct what our ministers at Panama shall or shall not say on the subject of Mr. Monroe's declaration, for example, why should we not proceed to say also what our other ministers abroad, or our Secretary at home, shall say on the same subject? There is precisely the same reason for one, as for the other. The course of the House, hitherto, sir, has not been such. It has expressed its opinions, when it deemed proper to express them at all, on great, leading questions, by resolution, and in a general form. These general opinions, being thus made known, have doubtless always had, and such expressions of

opinion doubtless always will have, their effect.—This is the practice of the Government. It is a salutary practice; but if we carry it farther, or rather if we adopt a very different practice, and undertake to prescribe to our public ministers what they shall discuss, and what they shall not discuss, we take upon ourselves that which, in my judgment, does not at all belong to us. I see no more propriety in our deciding now, in what manner these ministers shall discharge their duty, than there would have in our prescribing to the President and Senate what persons ought to have been appointed ministers.

An honourable member from Virginia, who spoke some days ago, (Mr. RIVES,) seems to go still farther than the member from Delaware. He maintains, that we may distinguish between the various objects contemplated by the Executive in the proposed negotiation; and adopt some and reject others. And this high, delicate, and important trust, the gentleman deduces simply from our power to withhold the minister's salaries. The process of the gentleman's argument appears to me as singular as its conclusion. He founds himself on the legal maxim, that he who has the power to give, may annex whatever condition or qualification to the gift he chooses. This maxim, sir, would be applicable to the present case, if we were the sovereigns of the country; if all power were in our hands; if the public money were entirely our own; if our appropriation of it were mere grace and favour; and if there were no restraints upon us, but our own sovereign will and pleasure. But the

argument totally forgets that we are ourselves but public agents; that our power over the Treasury is but that of stewards over a trust fund; that we have nothing to give, and therefore no gifts to limit, or qualify; that it is as much our duty to appropriate to proper objects, as to withhold appropriations from such as are improper; and that it is as much, and as clearly, our duty to appropriate in a proper and Constitutional manner, as to appropriate at all.

The same honourable member advanced another idea, in which I cannot concur. He does not admit that confidence is to be reposed in the Executive, on the present occasion, because confidence, he argues, implies only, that not knowing ourselves what will be done in a given case by others, we trust to those who are to act in it, that they will act right; and as we know the course likely to be pursued in regard to this subject, by the Executive, confidence can have no place. This seems a singular notion of confidence; certainly is not my notion of that confidence which the Constitution requires one branch of the Government to repose in another. The President is not our agent, but like ourselves, the agent of the People. They have trusted to his hands the proper duties of his office: and we are not to take those duties out of his hands, from any opinion of our own that we should execute them better ourselves. The confidence which is due from us to the Executive, and from the Executive to us, is not personal, but official and Constitutional. It has nothing to do with individual likings or dislikings; but results from that di-

vision of power among departments, and those limitations on the authority of each, which belong to the nature and frame of our government.

It would be unfortunate, indeed, if our line of Constitutional action were to vibrate, backward and forward, according to our opinions of persons, swerving this way to day, from undue attachment, and the other way to-morrow, from distrust or dislike. This may sometimes happen from the weakness of our virtues, or the excitement of our passions; but I trust it will not be coolly recommended to us, as the rightful course of public conduct.

It is obvious to remark, Mr. Chairman, that the Senate have not undertaken to give directions or instructions in this case. That body is closely connected with the President in Executive measures. Its consent to these very appointments is made absolutely necessary by the Constitution; yet it has not seen fit, in this or any other case, to take upon itself the responsibility of directing the mode in which the negotiations should be conducted.

For these reasons, Mr. Chairman, I am for giving no instructions, advice, or directions, in the case. I prefer leaving it where, in my judgment, the Constitution has left it—to Executive discretion and Executive responsibility.

But, sir, I think there are other objections to the amendment. There are parts of it which I could not agree to, if it were proper to attach any such condition to our vote. As to all that part of the amendment, indeed, which asserts the neutral policy of the United States, and the inexpediency of

forming alliances, no man assents to those sentiments more readily, or more sincerly, than myself. On these points, we are all agreed. Such is our opinion; such, the President assures us, in terms, is his opinion; such we know to be the opinion of the country. If it be thought necessary to affirm opinions which no one either denies or doubts, by a resolution of the House, I shall cheerfully concur in it. But there is one part of the proposed amendment to which I could not agree, in any form. I wish to ask the gentleman from Delaware himself to reconsider it. I pray him to look at it again, and to see whether he means what it expresses or implies; for, on this occasion, I should be more gratified by seeing that the honourable gentleman himself had become sensible that he had fallen into some error, in this respect, than by seeing the vote of the House against him by any majority whatever.

That part of the amendment to which I now object, is that which requires, as a condition of the resolution before us, that the ministers "shall not be authorized to discuss, consider, or consult upon any measure which shall commit the present or future neutral rights or duties of these United States, either as may regard European nations, or between the several States of Mexico and South America."

I need hardly repeat, that this amounts to a precise instruction. It being understood that the ministers shall not be authorized to discuss particular subjects, is a mode of speech precisely equivalent to saying, provided the ministers be instructed, or the ministers being instructed, not to discuss

those subjects. After all that has been said, or can be said, about this amendment being no more than a general expression of opinion, or abstract proposition, this part of it is an exact and definite instruction. It prescribes to public ministers the precise manner in which they are to conduct a public negotiation; a duty manifestly and exclusively belonging, in my judgment, to the Executive, and not to us.

But if we possessed the power to give instructions, this instruction would not be proper to be given. Let us examine it. The ministers shall not "discuss, consider, or consult," &c.

Now, sir, in the first place, it is to be observed, that they are not only not to agree to any such measure, but they are not to discuss it. If proposed to them, they are not to give reasons for declining it. Indeed they cannot reject it; they can only say they are not authorized to consider it. Would it not be better, sir, to leave these agents at liberty to explain the policy of our Government, fully and clearly, and to show the reasons which induce us to abstain, as far as possible, from foreign connexions, and to act, in all things, with a scrupulous regard to the duties of neutrality?

But again: they are to discuss no measure which may commit our neutral rights or duties. To commit is somewhat indefinite. May they not modify nor in any degree alter our neutral rights and duties? If not, I hardly know whether a common treaty of commerce could be negotiated; because all such treaties affect or modify, more or less, the

neutral rights or duties of the parties; especially all such treaties as our habitual policy leads us to form. But I suppose the author of the amendment uses the word in a larger and higher sense. He means that the ministers shall not discuss or consider any measure which may have a tendency, in any degree, to place us in a hostile attitude towards any foreign State. And here, again, one cannot help repeating, that the injunction is, not to propose or assent to any such measure, but not to consider it, not to answer it, if proposed; not to resist it with reasons?

But, if this objection were removed, still the instruction could not properly be given. What important or leading measure is there, connected with our foreign relations, which can be adopted, without the possibility of committing us to the necessity of a hostile attitude? Any assertion of our plainest rights may, by possibility, have that effect. The author of the amendment seems to suppose that our pacific relations can never be changed, but by our own option. He seems not to be aware that other states may compel us, in defence of our own rights, to measures, which, in their ultimate tendency, may commit our neutrality. Let me ask, if the ministers of other powers, at Panama, should signify to our agents that it was in contemplation immediately to take some measure which these agents know to be hostile to our policy, adverse to our rights, and such as we could not submit to—should they be left free to speak the sentiments of their Government, to protest against the measure, and to declare that the United States

would not see it carried into effect? Or should they, as this amendment proposes, be enjoined silence, let the measure proceed, and afterwards, when, perhaps, we go to war to redress the evil, we may learn that if our objections had been fairly and frankly stated, the step would not have been taken? Look, sir, to the very case of Cuba—the most delicate, and vastly the most important point in all our foreign relations. Do gentlemen think they exhibit skill or statesmanship, in laying such restraints as they propose on our ministers, in regard to this subject, among others? It has been made matter of complaint, that the Executive has not used, already, a more decisive tone towards Mexico and Colombia, in regard to their designs on this Island. Pray, sir, what tone could be taken, under these instructions? Not one word—not one single word could be said on the subject. If asked whether the United States would consent to the occupation of that Island by those republics, or to its transfer by Spain to a European power; or whether we should resist such occupation or such transfer, what could they say? "That is a matter we cannot discuss, and cannot consider—it would commit our neutral relations—we are not at liberty to express the sentiments of our Government on the subject: we have nothing at all to say." Is this, sir, what gentlemen wish, or what they would recommend?

If, sir, we give these instructions, and they should be obeyed, and inconvenience or evil result, who is answerable? And I suppose it is expected they will be obeyed. Certainly it cannot

be intended to give them, and not to take the responsibility of consequences, if they be followed. It cannot be intended to hold the President answerable both ways ; first, to obey our instructions, and, secondly, for having obeyed them, if evil comes from obeying them.

Sir, events may change. If we had the power to give instructions, and if these proposed instructions were proper to be given, before we arrive at our own homes, affairs may take a new direction, and the public interest require new and corresponding orders to our agents abroad.

This is said to be an extraordinary case, and, on that account, to justify our interference. If the fact were true, the consequence would not follow. If it be the exercise of a power assigned by the Constitution to the Executive, it can make no difference whether the occasion be common or uncommon. But, in truth, there have been much stronger cases for the interference of the House, where, nevertheless, the House has not interfered. For example; in the negotiations for peace carried on at Ghent. In that case, Congress, by both Houses, had declared war, for certain alleged causes. After the war had lasted some years, the President, with the advice of the Senate, appointed ministers to treat of peace ; and he gave them such instructions as he saw fit. Now, as the war was declared by Congress, and was waged to obtain certain ends, it would have been plausible to say that Congress ought to know the instructions under which peace was to be negotiated, that they might see whether

the objects for which the war was declared, had been abandoned. Yet no such claim was set up. The President gave instructions, such as his judgment dictated, and neither House asserted any right of interference.

Sir, there are gentlemen in this House, opposed to this mission, who, I hope, will nevertheless consider this question of amendment on general Constitutional grounds. They are gentlemen of much estimation in the community, likely I hope, long to continue in the public service ; and, I trust, they will well reflect on the effect of this amendment on the separate powers and duties of the several departments of the government.

An honourable member from Pennsylvania, (Mr. Hemphill,) has alluded to a resolution introduced by me the session before the last. I should not have referred to it myself, had he not invited the reference ; but I am happy in the opportunity of showing how that resolution coincides with every thing which I say to day. What was that resolution ? When an interesting people were struggling for national existence against a barbarous despotism, when there were good hopes, (hopes, yet, I trust, to be fully realized,) of their success, and when the Holy Alliance had pronounced against them certain false and abominable doctrines, I moved the House to resolve—what ? Simply, that provision ought to be made by law to defray the expense of an agent or commissioner to that country, whenever the President should deem it expedient to make such appointment. Did I propose any instruction to the President, or any

limit on his discretion? None at all, sir; none at all. What resemblance then can be found between that resolution and this amendment? Let those who think any such resemblance exists, adopt, if they will, the words of the resolution, as a substitute for this amendment. We shall gladly take them.

I am, therefore, Mr. Chairman, against the amendment; not only as not being a proper manner of exercising any power belonging to this House; but also as not containing instructions fit to be given, if we possessed the power of giving them. And as my vote will rest on these grounds, I might terminate my remarks here: but the discussion has extended over a broader surface, and following where others have led, I will ask your indulgence to a few observations on the more general topics of the debate.

Mr. Chairman: it is our fortune to be called upon to act our part, as public men, at a most interesting era in human affairs. The short period of your life, and of mine, has been thick and crowded with the most important events. Not only new interests and new relations have sprung up among States, but new societies, new nations, and families of nations, have risen to take their places, and perform their parts, in the order and the intercourse of the world. Every man, aspiring to the character of a statesman, must endeavour to enlarge his views to meet this new state of things. He must aim at adequate comprehension, and instead of being satisfied with that narrow political sagacity, which, like the power of minute vision,

sees small things accurately, but can see nothing else, he must look to the far horizon, and embrace, in his broad survey, whatever the series of recent events has brought into connexion, near or remote, with the country whose interests he studies to serve. We have seen eight States, formed out of colonies on our own continent, assume the rank of nations.

This is a mighty revolution, and when we consider what an extent of the surface of the globe they cover; through what climates they extend; what population they contain, and what new impulses they must derive from this change of government, we cannot but perceive that great effects are likely to be produced on the intercourse, and the interests of the civilized world. Indeed, it has been forcibly said, by the intelligent and distinguished statesman who conducts the foreign relations of England, that when we now speak of Europe and the world, we mean Europe and America; and that the different systems of these two portions of the globe, and their several and various interests, must be thoroughly studied and nicely balanced by the statesmen of the times.

In many respects, sir, the European and the American nations are alike. They are alike christian States, civilized States, and commercial States. They have access to the same common fountains of intelligence; they all draw from those sources which belong to the whole civilized world. In knowledge and letters—in the arts of peace and war, they differ in degrees; but they bear, nevertheless, a general resemblance. On the other hand, in matters of government and social institu-

tion, the nations on this continent are founded upon principles which never did prevail, in considerable extent, either at any other time, or in any other place. There has never been presented to the mind of man a more interesting subject of contemplation than the establishment of so many nations in America, partaking in the civilization and in the arts of the old world, but having left behind them those cumbrous institutions which had their origin in a dark and military age. Whatsoever European experience has developed favourable to the freedom and the happiness of man; whatsoever European genius has invented for his improvement or gratification; whatsoever of refinement or polish the culture of European society presents for his adoption and enjoyment—all this is offered to man in America, with the additional advantages of the full power of erecting forms of government on free and simple principles, without overturning institutions suited to times long passed, but too strongly supported, either by interests or prejudices, to be shaken without convulsions. This unprecedented state of things presents the happiest of all occasions for an attempt to establish national intercourse upon improved principles; upon principles tending to peace, and the mutual prosperity of nations. In this respect America, the whole of America, has a new career before her. If we look back on the history of Europe, we see how great a portion of the last two centuries her States have been at war for interests connected mainly with her feudal monarchies; wars for particular dynasties; wars to support or defeat par-

ticular successions ; wars to enlarge or curtail the dominions of particular crowns ; wars to support or to dissolve family alliances ; wars, in fine, to enforce or to resist religious intolerance. What long and bloody chapters do these not fill, in the history of European politics ! Who does not see, and who does not rejoice to see, that America has a glorious chance of escaping, at least, these causes of contention ? Who does not see, and who does not rejoice to see, that, on this continent, under other forms of government, we have before us the noble hope of being able, by the mere influence of civil liberty and religious toleration, to dry up these outpouring fountains of blood, and to extinguish these consuming fires of war The general opinion of the age favours such hopes and such prospects. There is a growing disposition to treat the intercourse of nations more like the useful intercourse of friends; philosophy—just views of national advantage, good sense and the dictates of a common religion, and an increasing conviction that war is not the interest of the human race—all concur, to increase the interest created by this new accession to the list of nations.

We have heard it said, sir, that the topic of South American Independence is worn out, and threadbare. Such it may be, sir, to those who have contemplated it merely as an article of news, like the fluctuation of the markets, or the rise and fall of stocks. Such it may be, to those minds who can see no consequences following from these great events. But whoever has either understood their present importance, or can at all estimate their fu-

ture influence—whoever has reflected on the new relations they introduce with other states—whoever, among ourselves especially, has meditated on the new relations which we now bear to them, and the striking attitude in which we ourselves are now placed, as the oldest of the American nations, will feel that the topic can never be without interest; and will be sensible that, whether we are wise enough to perceive it or not, the establishment of South American independence will affect all nations, and ourselves perhaps more than any other, through all coming time.

But, sir, although the independence of these new States seems effectually accomplished, yet a lingering and hopeless war is kept up against them by Spain. This is greatly to be regretted by all nations. To Spain it is, as every reasonable man sees, useless, and without hope. To the new States themselves it is burdensome and afflictive. To the commerce of neutral nations it is annoying and vexatious.—There seems to be something of the pertinacy of the Spanish character in holding on in such a desperate course. It reminds us of the seventy years during which Spain resisted the Independence of Holland. I think, however, that there is some reason to believe that the war approaches to its end. I believe that the measures adopted by our own Government have had an effect in tending to produce that result. I understand, at least, that the question of recognition has been taken into consideration by the Spanish Government; and it may be hoped that a war, which Spain finds to be so expensive, which the

whole world tells her is so hopeless, and which, if continued, now threatens her with new dangers, she may, ere long, have the prudence to terminate.

Our own course during this contest between Spain and her colonies is well known. Though entirely and strictly neutral, we were in favour of early recognition. Our opinions were known to the Allied Sovereigns when in Congress at Aix-la-Chapelle in 1818, at which time the affairs of Spain and her colonies were under consideration; and, probably, the knowledge of those sentiments, together with the policy adopted by England, prevented any interference by other powers at that time. Yet we have treated Spain with scrupulous delicacy. We acted on the case as one of civil war. We treated with the new Governments as Governments *de facto*. Not questioning the right of Spain to coerce them back to their old obedience, if she had the power, we yet held it to be our right to deal with them as with existing Governments in fact, when the moment arrived at which it became apparent and manifest that the dominion of Spain over these, her ancient colonies, was at an end. Our right, our interest, and our duty, all concurred at that moment to recommend recognition—and we did recognize.

Now, sir, the history of this proposed Congress goes back to an earlier date than that of our recognition. It commenced in 1821; and one of the treaties now before us, proposing such a meeting, that between Colombia and Chili, was concluded in July, 1822, a few months only after we had acknowledged the independence of the new

States. The idea originated, doubtless, in the wish to strengthen the union among the new Governments, and to promote the common cause of all, the effectual resistance to Spanish authority. As independence was at that time their leading object, it is natural to suppose that they contemplated this mode of mutual intercourse and mutual arrangement, as favourable to the necessary concentration of purpose, and of action, for the attainment of that object. But this purpose of the Congress, or this leading idea, in which it may be supposed to have originated, has led, as it seems to me, to great misapprehensions as to its true character, and great mistakes in regard to the danger to be apprehended from our sending ministers to the meeting. This meeting, sir, is a Congress—not a Congress as the word is known to our Constitution and laws, for we use it in a peculiar sense; but as it is known to the law of nations. A Congress, by the law of nations, is but an appointed meeting for the settlement of affairs between different nations, in which the representatives or agents of each treat and negotiate as they are instructed by their own government. In other words, this Congress is a diplomatic meeting. We are asked to join no government—no legislature—no league—acting by votes. It is a Congress, such as those of Westphalia, of Nimeguen, of Ryswyck, or of Utrecht; or such as those which have been holden in Europe, in our own time. No nation is a party to any thing done in such assemblies, to which it does not expressly make itself a party. No one's rights are put at the disposition of any of

the rest, or of all the rest. What ministers agree to, being afterwards duly ratified at home, binds their Government; and nothing else binds the Government. Whatsoever is done, to which they do not assent, neither binds the ministers nor their Government, any more than if they had not been present.

These truths, sir, seem too plain, and too common place to be stated. I find my apology only in those misapprehensions of the character of the meeting to which I have referred both now and formerly. It has been said that commercial treaties are not negotiated at such meetings. Far otherwise is the fact. Among the earliest of important stipulations made in favour of commerce and navigation, were those at Westphalia. And what we call the treaty of Utrecht, was a bundle of treaties, negotiated at that Congress; some of peace, some of boundary, and others of commerce. Again, it has been said, in order to prove that this meeting is a sort of confederacy, that such assemblies are out of the way of ordinary negotiation, and are always founded on, and provided for, by previous treaties. Pray, sir, what treaty preceded the Congress at Utrecht? and the meeting of our Plenipotentiaries with those of England at Ghent, what was that but a Congress? and what treaty preceded it? It is said, again, that there is no sovereign to whom our ministers can be accredited. Let me ask whether, in the case last cited, our ministers exhibited their credentials to the Mayor of Ghent? Sir, the practice of nations in these matters, is well known, and is free of difficulty.

If the government be not present, agents or Plenipotentiaries interchange their credentials. And when it is said that our ministers at Panama will be, not ministers, but deputies, members of a deliberative body, not protected in their public character by the public law; when all this is said, propositions are advanced, of which I see no evidence whatever, and which appear to me to be wholly without foundation.

It is contended that this Congress, by virtue of the treaties which the new States have entered into, will possess powers other than those of a diplomatic character, as between those new States themselves. If that were so, it would be unimportant to us. The real question here is, what will be our relation with those States, by sending ministers to this Congress? Their arrangements among themselves will not affect us. Even if it were a government, like our old confederation, yet, if its members had authority to treat with us in behalf of their respective nations on subjects on which we have a right to treat, the Congress might still be a very proper occasion for such negotiations. Do gentlemen forget that the French Minister was introduced to our old Congress, met it in its sessions, carried on oral discussions with it, and treated with it in behalf of the French King? All that did not make him a member of it; nor connect him at all with the relations which its members bore to each other. As he treated on the subject of carrying on the war against England, it was, doubtless, hostile towards that power; but this consequence followed from the object and nature of the stipula-

tions, and not from the manner of the intercourse. The Representatives of these South American States, it is said, will carry on belligerant councils at this Congress. Be it so; we shall not join in such councils. At the moment of invitation, our Government informed the ministers of those States, that we could not make ourselves a party to the war between them and Spain, nor to councils for deliberating on the means of its further prosecution.

If, it is asked, we send ministers to a Congress composed altogether of belligerants, is it not a breach of neutrality? Certainly not: no man can say it is. Suppose, sir, that these ministers from the new states, instead of Panama, were to assemble at Bogota, where we already have a minister: their councils, at that place, might be belligerant, while the war should last with Spain. But should we, on that account, recall our minister from Bogota? The whole argument rests on this; that because, at the same time and place, the agents of the South American Governments may negotiate about their own relations with each other, in regard to their common war against Spain, therefore we cannot, at the same time and place, negotiate with them, or any of them, upon our own neutral and commercial relations. This proposition, sir, cannot be maintained; and, therefore, all the inferences from it fail.

But, sir, I see no proof that, as between themselves, the representatives of the South American States are to possess other than diplomatic powers. I refer to the treaties, which are essentially alike, and which have been often read.

With two exceptions, (which I will notice,) the articles of these treaties, describing the powers of the Congress, are substantially like those in the treaty of Paris, in 1814, providing for the Congress of Vienna. It was there stipulated that all the powers should send plenipotentiaries to Vienna, to regulate, in general Congress, the arrangements to complete the provisions of the present treaty. Now, it might have been here asked, how *regulate?* How regulate in general Congress?—regulate by votes? Sir, nobody asked such questions: simply because it was to be a Congress of plenipotentiaries. The two exceptions which I have mentioned, are, that this Congress is to act as a council and to interpret treaties; but there is nothing in either of these to be done which may not be done diplomatically. What is more common than diplomatic intercourse, to explain and to interpret treaties? Or what more frequent than that nations, having a common object, interchange mutual counsels and advice, through the medium of their respective ministers? To bring this matter, sir, to the test, let me ask, when these ministers assemble at Panama, can they do any thing but according to their instructions? Have they any organization, any power of action, or any rule of action common to them all? No more, sir, than the respective ministers at the Congress of Vienna. Every thing is settled by the use of the word Plenipotentiary. That proves the meeting to be diplomatic, and nothing else. Who ever heard of a plenipotentiary member of the Legislature?—a plenipotentiary burgess of a city?—or a plenipotentiary knight of the shire?

We may dismiss all fears, sir, arising from the nature of this meeting. Our agents will go there, if they go at all, in the character of ministers, protected by the public law, negotiating only for ourselves, and not called on to violate any neutral duty of their own government. If it be so that this meeting has other powers, in consequence of other arrangements between other States, of which I see no proof, still, we are not party to these arrangements, nor can be in any way affected by them. As far as this government is concerned, nothing can be done but by negotiation, as in other cases.

It has been affirmed, that this measure, and the sentiments expressed by the Executive relative to its objects, are an acknowledged departure from the neutral policy of the United States. Sir, I deny there is an acknowledged departure, or any departure at all, from the neutral policy of the country. What do we mean by our neutral policy ? Not, I suppose, a blind and stupid indifference to whatever is passing around us ; not a total disregard to approaching events, or approaching evils, till they meet us full in the face. Nor do we mean, by our neutral policy, that we intend never to assert our rights by force. No, Sir. We mean by our policy of neutrality, that the great objects of national pursuit with us are connected with peace. We covet no provinces ; we desire no conquests ; we entertain no ambitious projects of aggrandizement by war. This is our policy. But it does not follow, from this, that we rely less than other nations, on our own power to vindicate

our own rights. We know that the last logic of kings is also our last logic ; that our own interests must be defended and maintained by our own arm ; and that peace or war may not always be of our own choosing. Our neutral policy, therefore, not only justifies but requires, our anxious attention to the political events which take place in the world, a skilful perception of their relation to our own concerns, an early anticipation of their consequences, and firm and timely assertion of what we hold to be our own rights, and our own interests. Our neutrality is not a predetermined abstinence, either from remonstrances, or from force. Our neutral policy is a policy that protects neutrality, that defends neutrality, that takes up arms, if need be, for neutrality. When it is said, therefore, that this measure departs from our neutral policy, either that policy, or the measure itself, is misunderstood. It implies either that the object or the tendency of the measure is to involve us in the war of other States, which I think cannot be shown, or that the assertion of our own sentiments, on points affecting deeply our own interests, may place us in a hostile attitude with other States, and that, therefore, we depart from neutrality ; whereas the truth is, that the decisive assertion, and the firm support of these sentiments, may be most essential to the maintenance of neutrality.

An honourable member from Pennsylvania thinks this Congress will bring a dark day over the United States. Doubtless, sir, it is an interesting moment in our history ; but I see no great proofs of thick coming darkness. But the object of the

remark seemed to be to show that the President himself saw difficulties on all sides, and making a choice of evils, preferred rather to send ministers to this Congress, than to run the risk of exciting the hostility of the States by refusing to send. In other words, the gentleman wished to prove that the President intended an alliance ; although such intention is expressly disclaimed.

Much commentary has been bestowed on the letters of invitation from the ministers. I shall not go through with verbal criticisms on these letters. Their general import is plain enough. I shall not gather together small and minute quotations, taking a sentence here, a word there, and a syllable in a third place, dovetailing them into the course of remark, till the printed discourse bristles with inverted commas, in every line, like a harvest-field. I look to the general tenor of the invitations, and I find that we are asked to take part only in such things as concern ourselves. I look still more carefully to the answers, and I see every proper caution, and proper guard. I look to the message, and I see that nothing is there contemplated, likely to involve us in other men's quarrels, or that may justly give offence to any foreign State. With this, I am satisfied.

I must now ask the indulgence of the Committee to an important point in the discussion, I mean the Declaration of the President in 1823. Not only as a member of the House, but as a citizen of the country, I have an anxious desire that this part of our public history should stand in its proper light. Sir, in my judgment, the country has a

very high honour, connected with that occurence, which we may maintain, or which we may sacrifice. I look upon it as a part of its treasures of reputation; and, for one, I intend to guard it.

Sir, let us recur to the important political events which led to that declaration, or accompanied it. In the fall of 1822, the allied sovereigns held their Congress at Verona. The great subject of consideration was the condition of Spain, that country then being under the government of the Cortes. The question was, whether Ferdinand should be reinstated in all his authority, by the intervention of foreign force. Russia, Prussia, France, and Austria, were inclined to that measure; England dissented and protested; but the course was agreed on, and France, with the consent of these other continental powers, took the conduct of the operation into her own hands. In the spring of 1823, a French Army was sent into Spain. Its success was complete. The popular government was overthrown, and Ferdinand re-established in all his power. This invasion, sir, was determined on, and undertaken, precisely on the doctrines which the allied monarchs had proclaimed the year before, at Laybach; and that is, that they had a right to interfere in the concerns of another State, and reform its government, in order to prevent the effects of its bad example; this bad example, be it remembered, always being the example of free government. Now, sir, acting on this principle of supposed dangerous example, and having put down the example of the Cortes in Spain, it was natural to inquire with what eyes they would look on the

colonies of Spain, that were following still worse examples. Would King Ferdinand and his allies be content with what had been done in Spain itself, or would he solicit their aid, and was it likely they would grant it, to subdue his rebellious American Provinces.

Sir, it was in this posture of affairs, on an occasion which has already been alluded to, that I ventured to say, early in the session of December, 1823, that these allied monarchs might possibly turn their attention to America; that America came within their avowed doctrine, and that her examples might very possibly attract their notice. The doctrines of Laybach were not limited to any continent; Spain had colonies in America, and having reformed Spain herself to the true standard, it was not impossible that they might see fit to complete the work by reconciling, in their way, the colonies to the mother country. Now, sir, it did so happen, that as soon as the Spanish King was completely re-established, he did invite the co-operation of his allies, in regard to South America. In the same month of December, of 1823, a formal invitation was addressed by Spain to the courts of St. Petersburg, Vienna, Berlin, and Paris, proposing to establish a conference at Paris, in order that the Plenipotentiaries, there assembled, might aid Spain in adjusting the affairs of her revolted provinces. These affairs were proposed to be adjusted in such manner as should retain the sovereignty of Spain over them; and though the co-operation of the allies, by force of arms, was not directly solicited—such was evidently the object aimed at.

The King of Spain, in making this request to the members of the Holy Alliance, argued, as it had been seen he might argue. He quoted their own doctrines of Laybach; he pointed out the pernicious example of America; and he reminded them that their success, in Spain itself, had paved the way for successful operations against the spirit of liberty on this side the Atlantic.

The proposed meeting, however, did not take place. England had already taken a decided course; for, as early as October, Mr. Canning, in a conference with the French minister in London, informed him distinctly and expressly, that England would consider any foreign interference, by force or by menace, in the dispute between Spain and the colonies, as a motive for recognising the latter, without delay.

It is probable this determination of the English Government was known here, at the commencement of the session of Congress; and it was under these circumstances, it was in this crisis, that Mr. Monroe's declaration was made. It was not then ascertained whether a meeting of the Allies would, or would not, take place, to concert with Spain the means of re-establishing her power; but it was plain enough they would be pressed by Spain to aid her operations; and it was plain enough also, that they had no particular liking to what was taking place on this side the Atlantic, nor any great disinclination to interfere. This was the posture of affairs; and, sir, I concur entirely in the sentiment expressed in the resolution, of a gentleman from Pennsylvania, (Mr. Markley,)

that this declaration of Mr. Monroe was wise, seasonable, and patriotic.

It has been said, in the course of this debate, to have been a loose and vague declaration. It was, I believe, sufficiently studied. I have understood, from good authority, that it was considered, weighed, and distinctly and decidedly approved by every one of the President's advisers, at that time. Our Government could not adopt, on that occasion, precisely the course which England had taken. England threatened the immediate recognition of the Provinces, if the Allies should take part with Spain against them.—We had already recognized them. It remained, therefore, only for our Government to say how we should consider a combination of the Allied Powers, to effect objects in America, as affecting ourselves; and the message was intended to say, what it does say, that we should regard such combination as dangerous to us. Sir, I agree with those who maintain the proposition, and I contend against those who deny it, that the message did mean something; that it meant much; and I maintain, against both, that the declaration affected much good, answered the end designed by it, did great honour to the foresight, and the Spirit of the government, and that it cannot now be taken back, retracted or annulled, without disgrace. It met, sir, with the entire concurrence, and the hearty approbation of the country. The tone which it uttered found a corresponding response in the breasts of the free people of the United States. That people saw, and they rejoiced to see, that, on a fit occasion, our weight had been thrown into the

right scale, and that, without departing from our duty, we had done something useful, and something effectual, for the cause of civil liberty. One general glow of exultation—one universal feeling of the gratified love of liberty—one conscious and proud perception of the consideration which the country possessed, and of the respect and honour which belonged to it—pervaded all bosoms. Possibly the public enthusiasm went too far; it certainly did go far. But, sir, the sentiment which this declaration inspired was not confined to ourselves. Its force was felt every where, by all those who could understand its object, and foresee its effect. In that very House of Commons, of which the gentleman from South Carolina has spoken with such commendation, how was it there received? Not only, sir, with approbation, but, I may say, with no little enthusiasm. While the leading minister expressed his entire concurrence in the sentiments and opinions of the American President, his distinguished competitor in that popular body, less restrained by official decorum, more at liberty to give utterance to the feeling of the occasion, declared that no event had ever created greater joy, exultation, and gratitude, among all the free men in Europe; that he felt pride in being connected by blood and language, with the people of the United States; that the policy disclosed by the message, became a great, a free, and an independent nation; and that he hoped his own country would be prevented by no mean pride, or paltry jealousy, from following so noble and glorious an example.

It is doubtless true, as I took occasion to observe

the other day, that this declaration must be considered as founded on our rights, and to spring mainly from a regard to their preservation. It did not commit us at all events to take up arms, on any indication of hostile feeling by the powers of Europe towards South America. If, for example, all the States of Europe had refused to trade with South America, until her States should return to their former allegiance, that would have furnished no cause of interference to us. Or if an armament had been furnished by the allies to act against provinces the most remote from us, as Chili or Buenos Ayres, the distance of the scene of action diminishing our apprehension of danger, and diminishing also our means of effectual interposition, might still have left us to content ourselves with remonstrance. But a very different case would have arisen, if an army, equipped and maintained by these powers, had been landed on the shores of the Gulph of Mexico, and commenced the war in our own immediate neighbourhood. Such an event might justly be regarded as dangerous to ourselves, and, on that ground, to have called for decided and immediate interference by us. The sentiments and the policy announced by the declaration, thus understood, were, therefore, in strict conformity to our duties and our interest.

Sir, I look on the message of December, 1823, as forming a bright page in our history. I will neither help to erase it, or tear it out ; nor shall it be, by any act of mine, blurred or blotted. It did honour to the sagacity of the Government, and I will not diminish that honour. It elevated the

hopes, and gratified the patriotism, of the people. Over those hopes I will not bring a mildew ; nor will I put that gratified patriotism to shame.

But how should it happen, sir, that there should now be such a new-born fear, on the subject of this declaration ? The crisis is over ; the danger is past. At the time it was made, there was real ground for apprehension : now there is none. It was then possible, perhaps not improbable, that the allied powers might interfere with America. There is now no ground for any such fear. Most of the gentlemen who have now spoken on the subject, were at that time here. They all heard the declaration. Not one of them complained. And yet, now, when all danger is over, we are vehemently warned against the sentiments of the declaration.

To avoid this apparent inconsistency, it is, however, contended, that new force has been recently given to this declaration. But of this, I see no evidence whatever. I see nothing in any instructions or communications from our government changing the character of that declaration in any degree. There is, as I have before said, in one of Mr. Poinsett's letters, an inaccuracy of expression. If he has recited correctly his conversation with the Mexican minister, he did go too far : farther than any instruction warranted. But, taking his whole correspondence together, it is quite manifest that he has deceived nobody, nor has he committed the country. On the subject of a pledge, he put the Mexican minister entirely right. He stated to him, distinctly, that this government had given no

pledge which others could call upon it to redeem. What could be more explicit? Again, sir: it is plain that Mexico thought us under no greater pledge than England: for the letters to the English and American ministers, requesting interference, were in precisely the same words. When this passage in Mr. Poinsett's letter was first noticed, we were assured there was and must be some other authority for it. It was confidently said he had instructions, authorizing it, in his pocket. It turns out otherwise. As little ground is there to complain of any thing in the Secretary's letter to Mr. Poinsett. It seems to me to be precisely what it should be. It does not, as has been alleged, propose any co-operation between the government of Mexico and our own. Nothing like it. It instructs our ministers to bring to the notice of the Mexican government the line of policy which we have marked out for ourselves—acting on our own grounds, and for our own interests; and to suggest to that government, acting on its own ground, and for its own interests, the propriety of following a similar course. Here, sir, is no alliance, nor even any co-operation.

So, again, as to the correspondence which refers to the appearance of the French fleet in the West India Seas. Be it remembered, that our government was contending, in the course of this correspondence with Mexico, for an equality in matters of commerce. It insisted on being placed, in this respect, on the same footing as the other South American States. To enforce this claim, our known friendly sentiments towards Mexico, as

well as to the rest of the new States, were suggested—and properly suggested. Mexico was reminded of the timely declaration which had been made of these sentiments.—She was reminded that she herself had been well inclined to claim the benefit resulting from that declaration, when a French fleet appeared in the neighbouring seas; and she was referred to the course adopted by our government on that occasion, with an intimation that she might learn from it how the same government would have acted if other possible contingencies had happened. What is there, in all this, of any renewed pledge, or what is there of any thing beyond the true line of our policy? Do gentlemen mean to say that the communication made to France, on this occasion, was improper? Do they mean to repel and repudiate that declaration? That declaration was, that we could not see Cuba transferred from Spain to another European power. If the House mean to contradict that—be it so. If it do not, then, as the government had acted properly in this case, it did furnish ground to believe it would act properly, also, in other cases, when they arose. And the reference to this incident or occurrence by the Secretary, was pertinent to the argument which he was pressing on the Mexican government.

I have but a word to say on the subject of the declaration against European colonization in America. The late President seems to have thought the occasion used by him for that purpose to be a proper one for the open avowal of a principle which had already been acted on. Great and practical

inconveniences, it was feared, might be apprehended, from the establishment of new colonies in America, having a European origin and a European connexion. Attempts of that kind, it was obvious, might possibly be made, amidst the changes that were taking place, in Mexico, as well as in the more southern States. Mexico bounds us, on a vast length of line, from the Gulf of Mexico to the Pacific Ocean. There are many reasons why it should not be desired by us, that an establishment, under the protection of a different power, should occupy any portion of that space. We have a general interest, that through all the vast territories rescued from the dominion of Spain, our commerce might find its way, protected by treaties with Governments existing on the spot. These views, and others of a similar character, rendered it highly desirable to us, that these new States should settle it, as a part of their policy, not to allow colonization within their respective territories. True, indeed, we did not need their aid to assist us in maintaining such a course for ourselves; but we had an interest in their assertion and support of the principle as applicable to their own Territories.

I now proceed, Mr. Chairman, to a few remarks on the subject of Cuba, the most important point of our foreign relations. It is the hinge on which interesting events may possibly turn. I pray gentlemen to review their opinions on this subject before they fully commit themselves. I understood the honourable member from South Carolina to say, that if Spain chose to transfer this Island to

any power in Europe, she had a right to do so, and we could not interfere to prevent it. Sir, this is a delicate subject. I hardly feel competent to treat it as it deserves; and I am not quite willing to state here all that I think about it. I must, however, dissent from the opinion of the gentleman from South Carolina. The right of nations, on subjects of this kind, are necessarily very much modified by circumstances. Because England or France could not rightfully complain of the transfer of Florida to us, it by no means follows, as the gentleman supposes, that we could not complain of the cession of Cuba to one of them. The plain difference is, that the transfer of Florida to us was not dangerous to the safety of either of those nations, nor fatal to any of their great and essential interests. Proximity of position, neighbourhood, whatever augments the power of injuring and annoying, very properly belong to the consideration of all cases of this kind. The greater or less facility of access itself is of consideration in such questions, because it brings, or may bring, weighty consequences with it. It justifies, for these reasons, and on these grounds, what otherwise might never be thought of. By negotiation with a foreign power, Mr. Jefferson obtained a province. Without any alteration of our Constitution, we have made it part of the United States, and its Senators and Representatives, now coming from several States, are here among us. Now, sir, if, instead of being Louisiana, this had been one of the provinces of Spain proper, or one of her South American colonies, he

must have been a madman, that should have proposed such an acquisition. A high conviction of its convenience, arising from proximity, and from close natural connection, alone reconciled the country to the measure. Considerations of the same sort have weight in other cases.

An honourable member from Kentucky, (Mr. Wickliffe,) argues, that although we might rightfully prevent another power from taking Cuba from Spain, by force, yet if Spain should choose to make the voluntary transfer, we should have no right whatever to interfere. Sir, this is a distinction without a difference. If we are likely to have contention about Cuba, let us first well consider what our rights are, and not commit ourselves. And, sir, if we have any right to interfere at all, it applies as well to the case of a peaceable, as to that of a forcible, transfer. If nations be at war, we are not judges of the question of right, in that war; we must acknowledge, in both parties, the mutual right of attack, and the mutual right of conquest. It is not for us to set bounds to their belligerant operations, so long as they do not affect ourselves. Our right to interfere, sir, in any such case, is but the exercise of the right of reasonable and necessary self-defence. It is a high and delicate exercise of that right; one not to be made but on grounds of strong and manifest reason, justice, and necessity. The real question is, whether the possession of Cuba by a great maritime power of Europe, would seriously endanger our own immediate security, or our essential interests. I put the question, sir, in the language of some of the best

considered state papers of modern times. The general rule of national law, is, unquestionably, against interference, in the transactions of other States. There are, however, acknowledged exceptions, growing out of circumstances, and founded in those circumstances. These exceptions, it has been properly said, cannot, without danger, be reduced to previous rule, and incorporated into the ordinary diplomacy of nations. Nevertheless, they do exist, and must be judged of, when they arise, with a just regard to our own essential interests, but in a spirit of strict justice and delicacy also towards foreign States.

The ground of these exceptions is, as I have already stated, self-preservation. It is not a slight injury to our interest; it is not even a great inconvenience, that makes out a case. There must be danger to our security, or danger, manifest and imminent danger, to our essential rights, and our essential interests. Now, sir, let us look at Cuba. I need hardly refer to its present amount of commercial connection with the United States. Our statistical tables, I presume, would show us, that our commerce with the Havana alone is more in amount than our whole commercial intercourse with France and all her dependencies. But this is but one part of the case, and not the most important. Cuba, as is well said in the report of the Committee of Foreign Affairs, is placed in the mouth of the Mississippi. Its occupation by a strong maritime power would be felt, in the first moment of hostility, as far up the Mississippi and the Missouri, as our population extends. It is the commanding point of the Gulf

of Mexico. See, too, how it lies in the very line of our coast-wise traffic; interposed in the very highway between New-York and New-Orleans.

Now, sir, who has estimated, or who can estimate, the effect of a change, which should place this Island in other hands, subject it to new rules of commercial intercourse, or connect it with objects of a different and still more dangerous nature? Sir, I repeat that I feel no disposition to pursue this topic, on the present occasion. My purpose is only to show its importance, and to beg gentlemen not to prejudice any rights of the country by assenting to propositions, which, perhaps, may be necessary to be reviewed.

And here I differ again with the gentleman from Kentucky. He thinks that, in this, as in other cases, we should wait till the event comes, without any previous declaration of our sentiments upon subjects important to our own rights or our own interests. Sir, such declarations are often the appropriate means of preventing that which, if unprevented, it might be difficult to redress. A great object in holding diplomatic intercourse, is frankly to expose the views and objects of nations, and to prevent, by candid explanation, collision and war. In this case, the Government has said that we could not assent to the transfer of Cuba to another European State. Can we so assent? Do gentlemen think we can? If not, then it was entirely proper that this intimation should be frankly and seasonably made. Candor required it; and it would have been unpardonable, it would have been injustice, as well as folly, to have been silent, while we

might suppose the transaction to be contemplated, and then to complain of it afterwards. If we should have a subsequent right to complain, we have a previous right, equally clear, of protesting ; and if the evil be one, which, when it comes, would allow us to apply a remedy, it not only allows us, but it makes it our duty, also, to apply prevention.

But, Sir, while some gentlemen have maintained, that on the subject of a transfer to any of the European powers, the President has said too much, others insist that on that of the Islands being occupied by Mexico or Colombia, he has said and done too little. I presume, sir, for my own part, that the strongest language has been directed to the source of greatest danger. Heretofore that danger was, doubtless, greatest, which was apprehended from a voluntary transfer. The other has been met, as it arose ; and, thus far, adequately and sufficiently met. And here, sir, I cannot but say that I never knew a more extraordinary argument than we have heard on the conduct of the Executive on this part of the case. The President is charged with inconsistency ; and, in order to make this out, public despatches are read, which, it is said, militate with one another.

Sir, what are the facts? This government saw fit to invite the Emperor of Russia to use his endeavours to bring Spain to treat of peace with her revolted colonies. Russia was addressed on this occasion as the friend of Spain ; and, of course, every argument which it was thought might have influence, or ought to have influence, either on Russia or

Spain, was suggested in the correspondence. Among other things, the probable loss to Spain, of Cuba and Porto Rico, was urged; and the question was asked, how it was, or could be, expected by Spain, that the United States could interfere, to prevent Mexico and Colombia from taking those Islands from her, since she was their enemy, in a public war, and since she pertinaciously, and unreasonably, as we think, insists on maintaining the war; and since these Islands offered an obvious object of attack? Was not this, sir, a very proper argument to be urged to Spain? A copy of this despatch, it seems, was sent to the Senate, in confidence. It has not been published by the Executive. Now, the alleged inconsistency is, that, notwithstanding this letter, the President has interfered to dissuade Mexico and Colombia from attacking Cuba; that, finding or thinking that those States meditated such a purpose, this Government has urged them to desist from it. Sir, was ever any thing more unreasonable than this charge? Was it not proper, that, to produce the desired result of peace, our Government should address different motives to the different parties in the war? Was it not its business to set before each party its dangers and its difficulties, in pursuing the war? And if, now, by any thing unexpected, these respective correspondences have become public, are these different views, addressed thus to different parties, and with different objects, to be relied on as proof of inconsistency? It is the strangest accusation ever heard of. No Government, not wholly destitute of common sense, would

have acted otherwise. We urged the proper motives to both parties. To Spain we urged the probable loss of Cuba; we showed her the dangers of its capture by the new States; and we asked her to inform us on what ground it was, that we could interfere to prevent such capture, since she was at war with these States, and they had an unquestionable right to attack her in any of her territories; and especially she was asked, how she could expect good offices from us, on this occasion, since she fully understood our opinion to be, that she was persisting in the war without, or beyond, all reason, and with a sort of desperation. This was the appeal made to the good sense of Spain, through Russia. But, soon afterwards, having reason to suspect that Colombia and Mexico were actually preparing to attack Cuba, and knowing that such an event would most seriously affect us, our government remonstrated against such meditated attack, and to the present time it has not been made. In all this, who sees any thing either improper or inconsistent? For myself, I think the course pursued showed a watchful regard to our own interest, and is wholly free from any imputation, either of impropriety, or inconsistency.

There are other subjects, sir, in the President's message, which have been discussed in the debate, but on which I shall not detain the Committee.

It cannot be denied, that from the commencement of our government, it has been its object to improve and simplify the principles of national intercourse. It may well be thought a fit occasion to

urge these improved principles, at a moment when so many new States are coming into existence, untrammelled, of course, with previous and long established connexions or habits. Some hopes of benefit, connected with these topics, are suggested in the message.

The abolition of private war on the ocean, is also among the subjects of possible consideration. This is not the first time that that subject has been mentioned. The late President took occasion to enforce the considerations which he thought recommended it. For one, I am not prepared to say how far such abolition may be practicable, or how far it ought to be pursued; but there are views belonging to the subject, which have not been, in any degree, answered or considered, in this discussion.

Sir, it is not always the party that has the power of employing the largest military marine, that enjoys the advantage by authorizing privateers in war. It is not enough that there are brave and gallant captors; there must be something to be captured. Suppose, sir, a war between ourselves and any one of the new States of South America were now existing, who would lose most, by the practice of privateering, in such a war? There would be nothing for us to attack; while the means of attacking us would flow to our enemies from every part of the world. Capital, ships, and men, would be abundant in all their ports, and our commerce, spread over every sea, would be the destined prey. So, again, if war should unhappily spring up among those States themselves, might it not be for our

interest, as being likely to be much connected by intercourse with all parties, that our commerce should be free from the visitation and search of private armed ships; one of the greatest vexations to neutral commerce in time of war? These, sir, are some of the considerations belonging to this subject. I have mentioned them only to show that they well deserve serious attention.

I have not intended to reply to the many observations which have been submitted to us, on the message of the President to this House, or that to the Senate. Certainly I am of opinion, that some of those observations merited an answer, and they have been answered by others. On two points only will I make a remark. It has been said, and often repeated, that the President in his message to the Senate, has spoken of his own power in regard to missions, in terms which the Constitution does not warrant. If gentlemen will turn to the message of President Washington, relative to the mission to Lisbon, in the 10th vol. of State Papers, they will see almost the exact form of expression used in this case. The other point, on which I would make a remark, is the allegation, that an unfair use has been made in the argument of the message, of General Washington's Farewell Address. There would be no end, sir, to comments and criticisms, of this sort, if they were to be pursued. I only observe, that, as it appears to me, the argument of the message, and its use of the Farewell Address, are not fairly understood. It is not attempted to be inferred from the Farewell Address, that, according to

the opinion of Washington, we ought now to have alliances with Foreign States. No such thing. The Farewell Address recommends to us, to abstain as much as possible from all sorts of political connexion with the States of Europe, alleging, as the reason for this advice, that Europe has a set of primary interests of her own, separate from ours, and with which we have no natural connexion. Now the message argues, and argues truly, that the new South American States, not having a set of interests of their own growing out of the balance of power, family alliances, &c., separate from ours, in the same manner, and to the same degree, as the primary interests of Europe were represented to be; this part of the Farewell Address, aimed at those separate interests expressly, did not apply in this case. But does the message infer from this the propriety of alliances with these new States? Far from it. It infers no such thing. On the contrary, it disclaims all such purpose.

There is one other point, sir, on which common justice requires a word to be said. It has been alleged that there are material differences, as to the papers sent respectively to the two Houses. All this, as it seems to me, may be easily and satisfactorily explained. In the first place, the instructions of May, 1823, which, it is said, were not sent to the Senate, were instructions on which a treaty had been already negotiated; which treaty had been subsequently ratified by the Senate. It may be presumed, that when the treaty was sent to the Senate, the instructions accompanied it; and if so, they were actually already before the

Senate ; and this accounts for one of the alleged differences. In the next place, the letter to Mr. Middleton, in Russia, not sent to the House, but now published by the Senate, is such a paper as possibly the President might not think proper to make public. There is evident reason for such an inference. And, lastly, the correspondence of Mr Brown, sent here, but not to the Senate, appears, from its date, to have been received after the communication to the Senate. Probably when sent to us, it was also sent, by another message, to that body.

These observations, sir, are tedious and uninteresting. I am glad to be through with them. And here I might terminate my remarks, and relieve the patience, now long and heavily taxed, of the committee. But there is one part of the discussion, on which I must ask to be indulged with a few observations.

Pains, sir, have been taken by the honourable member from Virginia, to prove that the measure now in contemplation, and, indeed, the whole policy of the government respecting South America, is the unhappy result of the influence of a gentleman formerly filling the chair of this House. To make out this, he has referred to certain speeches of that gentleman delivered here. He charges him with having become himself affected at an early day with what he is pleased to call the South American fever ; and with having infused its baneful influence into the whole councils of the country.

If, sir, it be true, that that gentleman, prompted

by an ardent love of civil liberty, felt earlier than others, a proper sympathy for the struggling colonies of South America; or that, acting on the maxim, that revolutions do not go backward, he had the sagacity to foresee, earlier than others, the successful termination of those struggles; if, thus feeling, and thus perceiving, it fell to him to lead the willing or unwilling councils of his country, in her manifestations of kindness to the new Governments, and in her seasonable recognition of their independence; if it be this which the honourable member imputes to him; if it be by this course of public conduct that he has identified his name with the cause of South American liberty, he ought to be esteemed one of the most fortunate men of the age. If all this be, as is now represented, he has acquired fame enough. It is enough for any man, thus to have connected himself with the greatest events of the age in which he lives, and to have been foremost in measures which reflect high honour on his country, in the judgment of mankind. Sir, it is always with great reluctance that I am drawn to speak, in my place here, of individuals; but I could not forbear what I have now said, when I hear, in the House of Representatives, and in this land of free spirits, that it is made matter of imputation and of reproach, to have been first to reach forth the hand of welcome and of succour to new-born nations, struggling to obtain, and to enjoy, the blessings of liberty.

We are told that the country is deluded and deceived by cabalistic words. Cabalistic words! If

we express an emotion of pleasure at the results of this great action of the spirit of political liberty; if we rejoice at the birth of new Republican nations, and express our joy by the common terms of regard and sympathy; if we feel and signify high gratification that, throughout this whole Continent, men are now likely to be blessed by free and popular institutions; and if, in the uttering of these sentiments, we happen to speak of sister Republics; of the great American family of nations; or of the political system and forms of government of this Hemisphere, then indeed, it seems, we deal in senseless jargon, or impose on the judgment and feeling of the community by cabalistic words! Sir, what is meant by this? Is it intended that the People of the United States ought to be totally indifferent to the fortunes of these new neighbours? Is no change, in the lights in which we are to view them, to be wrought, by their having thrown off foreign dominion, established independence, and instituted, on our very borders, republican governments, essentially after our own example?

Sir, I do not wish to overrate, I do not overrate, the progress of these new States in the great work of establishing a well-secured popular liberty. I know that to be a great attainment, and I know they are but pupils in the school. But, thank God, they are in the school. They are called to meet difficulties, such as neither we nor our fathers encountered. For these, we ought to make large allowances. What have we ever known like the colonial vassalage of these States? When did we or our ancestors, feel, like them, the

weight of a political despotism that presses men to the earth, or of that religious intolerance which would shut up heaven to all but the bigotted? Sir, we sprung from another stock. We belong to another race. We have known nothing—we have felt nothing of the political despotism of Spain, nor of the heat of her fires of intolerance. No rational man expects that the South can run the same rapid career as the North; or that an insurgent province of Spain is in the same condition as the English colonies, when they first asserted their independence. There is, doubtless, much more to be done, in the first than in the last case. But on that account the honour of the attempt is not less; and if all difficulties shall be in time surmounted, it will be greater. The work may be more arduous—it is not less noble, because there may be more of ignorance to enlighten; more of bigotry to subdue; more of prejudice to eradicate. If it be a weakness to feel a strong interest in the success of these great revolutions, I confess myself guilty of that weakness. If it be weak *to feel that I am* an American, to think that recent events have not only opened new modes of intercourse, but have created also new grounds of regard and sympathy between ourselves and our neighbours; if it be weak to feel that the South, in her present state, is somewhat more emphatically a part of America, than when she lay obscure, oppressed, and unknown, under the grinding bondage of a foreign power; if it be weak to rejoice, when, even in any corner of the earth, human beings are able to get up from beneath oppression, to erect

themselves, and to enjoy the proper happiness of their intelligent nature; if this be weak, it is a weakness from which I claim no exemption.

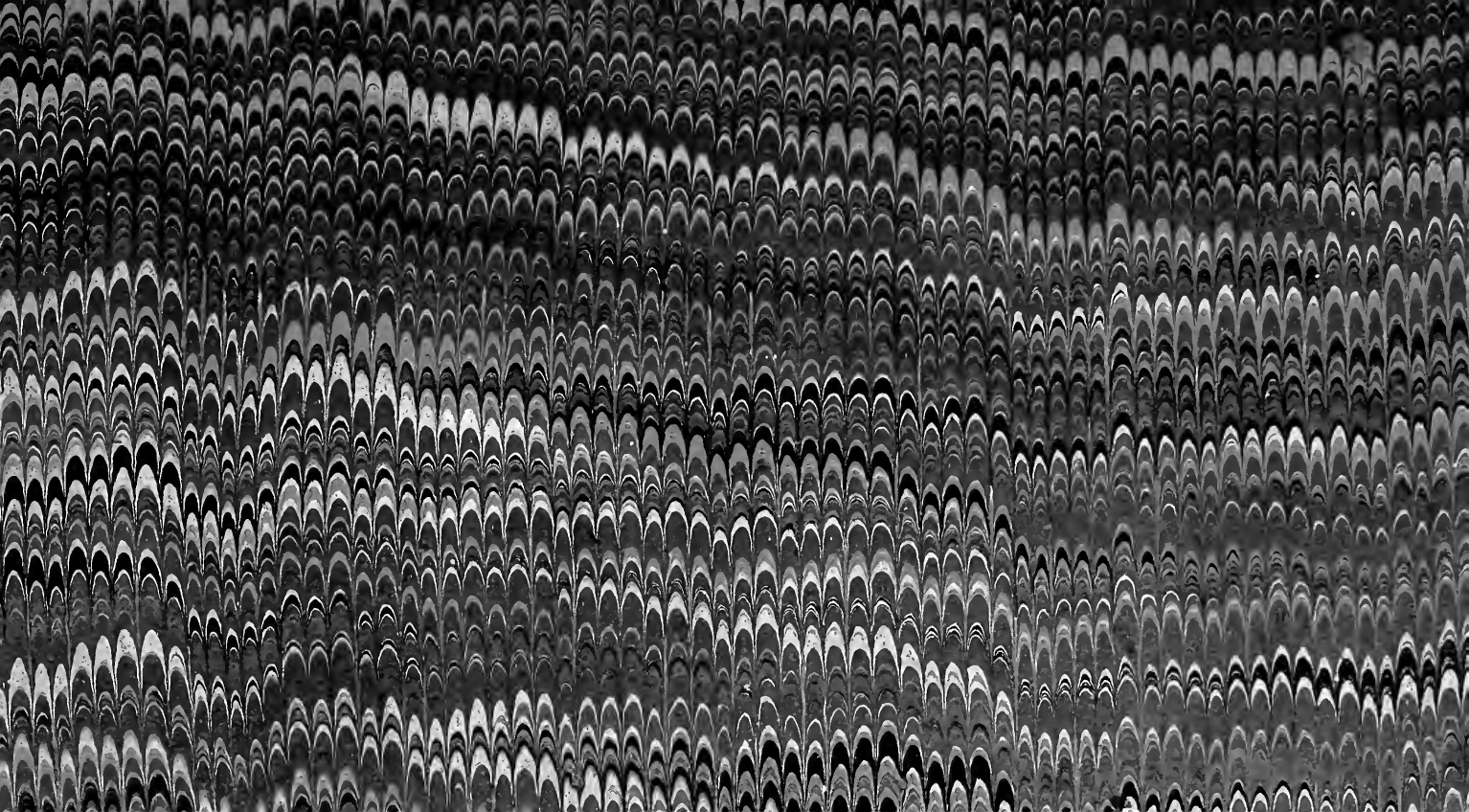
A day of solemn retribution now visits the once proud monarchy of Spain. The prediction is fulfilled. The spirit of Montezuma and of the Incas might now well say,

> "Art thou, too, fallen, Iberia? Do we see
> "The robber and the murderer weak as we?
> "Thou! that has wasted earth and dared despise
> "Alike the wrath and mercy of the skies,
> "Thy pomp is in the grave; thy glory laid
> "Low in the pit thine avarice has made."

Mr. Chairman: I will detain you only with one more reflection on this subject. We cannot be so blind—we cannot so shut up our senses, and smother our faculties, as not to see, that in the progress and the establishment of South American liberty, our own example has been among the most stimulating causes. That great light—a light which can never be hid—the light of our own glorious revolution, has shone on the path of the South-American patriots, from the beginning of their course. In their emergencies, they have looked to our experience; in their political institutions, they have followed our models; in their deliberations, they have invoked the presiding spirit of our own liberty. They have looked steadily, in every adversity, to the GREAT NORTHERN LIGHT. In the hour of bloody conflict, they have remembered the fields which have been consecrated by the blood of our own fathers; and when they have fallen, they have wished only to be remembered, with them, as men who had acted their parts

bravely, for the cause of liberty in the Western World.

Sir, I have done. If it be weakness to feel the sympathy of one's nature excited for such men, in such a cause, I am guilty of that weakness. If it be prudence to meet their proffered civility, not with reciprocal kindness, but with coldness or with insult, I choose still to follow where natural impulse leads, and to give up that false and mistaken prudence, for the voluntary sentiments of my heart.



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